

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patent  
Washington, D.C. 20231

Atty. Dkt.: 11-908

JC698 U.S. PTO

Date: November 7, 2001

Sir:



11/07/01

11002 U.S. PTO  
09/986058  
11/07/01

Attached for filing is the patent application of:

Inventor: BELL

Entitled: USE OF WASTE CARPET AS FILLER

and including attachments as noted below:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract  
13 pages of specification and claims (including 14 numbered claims), and  
2 sheets of accompanying drawing/s.  
☐ Record the attached assignment and return to the undersigned.  
☒ Attached is a Power of Attorney from the parent application S.N. 09/782,518.  
☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

Country

Day/Month/Year Filed

, respectively, the entire content of which is hereby incorporated by reference in this application..

- ☐ Certified copy(ies) of foreign application(s) is/are attached.  
☐ Certified copy(ies) filed on \_\_\_\_\_ in prior appln. no. \_\_\_\_\_ filed \_\_\_\_\_  
☐ Please amend the specification by inserting the following paragraph before the first line: --This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--  
☒ Please amend the specification by inserting the following paragraph before the first line: --This application is a continuation of Application No. 09/782,518, filed February 14, 2001, now pending, the entire content of which is hereby incorporated by reference in this application.--  
☐ Petition filed in prior application to extend its life to insure co-pendency.  
☒ The prior application is assigned to BURLINGTON INDUSTRIES, INC..  
☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.  
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.  
☒ Please enter the attached preliminary amendment prior to calculation of filing fee:  
☒ Also attached: ☐ Information Disclosure Statement; ☒ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED**

|  |    |                      |   |                           |           |
|--|----|----------------------|---|---------------------------|-----------|
| Basic Filing Fee   |    |                      |   | \$                        | 740.00    |
| Total effective claims   | 19 | - 20 (at least 20) = | 0 | x \$ 18.00                | \$ 0.00   |
| Independent claims   | 4  | - 3 (at least 3) =   | 1 | x \$ 84.00                | \$ 84.00  |
| If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) |    |                      |   | \$                        | 0.00      |
|  |    |                      |   | <b>SUBTOTAL</b>           | \$ 824.00 |
|  |    |                      |   | -(                        | 0.00)     |
| If "small entity," then enter half (1/2) of subtotal and subtract                                |    |                      |   | <b>SECOND SUBTOTAL</b>    | \$ 824.00 |
| Assignment Recording Fee (\$40.00)   |    |                      |   | \$                        | 0.00      |
|  |    |                      |   | <b>TOTAL FEE ENCLOSED</b> | \$ 824.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON &amp; VANDERHYE P.C.

By Atty: Richard G. Besha, Reg. No. 22,770

Signature: Richard Besha

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BELL

Atty. Ref.: 11-908

Serial No. (Continuation of S.N. 09/782,518)

Group: Unassigned

Filed: November 7, 2001

Examiner: Unassigned

For: USE OF WASTE CARPET AS FILLER

\* \* \* \* \*

November 7, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**REQUEST FOR NON-PUBLICATION UNDER 37 C.F.R. §1.213**

Applicant in the above-identified continuation application hereby requests that the continuation application not be published under 35 U.S.C. §122(b) and 37 C.F.R. §1.211. Applicant certifies that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multi-lateral international agreement that requires publication at eighteen months after filing.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: Richard G. Besha

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